

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Anthony Aquila, et al.

Application No.: 09/825,604

Confirmation No.: 3275

Filed: April 3, 2001

Art Unit: 3626

For: SYSTEM AND METHOD OF  
ADMINISTERING TRACKING AND  
MANAGING OF CLAIMS  
PROCESSING

Examiner: Christopher L. Gilligan

*Mail Stop: AF*

**CLAIMS AMENDMENT UNDER 37 C.F.R. §§ 41.33(a), 1.116(b)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INTRODUCTORY COMMENTS**

This is in response to the Final Office Action, mailed October 9, 2007, time for response to which was set to expire January 9, 2008. Claims 25, 73-78, 80-82, 84-89, and 91-93 are pending in the application. Claims 25, 73, and 84 are amended.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 8 of this paper.

**AMENDMENTS TO THE CLAIMS**

Kindly amend the claims as follows:

1.-24. (Canceled)

25. (Currently Amended ) A computer-implemented method of determining a type of assignee to whom to assign an insurance claim, the method comprising:

receiving data related to the insurance claim, the data comprising a plurality of data elements, a data element serving as an assignment criterion;

assigning a score to [[a]] first and second data elements of the plurality of data elements based on scoring rules, wherein each data element includes one or more data from the group consisting of policy information, vehicle information, number of vehicles involved, repair cost, number of parties involved, time of incident, and location of incident;

~~determining~~determine an overall score of the insurance claim based on the assigned scores;

determining a class of the insurance claim according to classing rules; and

determining a type of assignee to whom to assign the insurance claim according to the application of business rules to the overall score of the insurance claim and the class of the insurance claim, wherein the business rules weight the class more highly than the score.

26.-72. (Cancelled)

73. (Currently Amended) A computer-implemented method of selecting, from a plurality of types of assignees, a type of assignee to whom to assign an insurance claim, comprising:

determining, based on data elements of the insurance claim, a claim score for [[a]] first and second data elements, wherein each data element includes one or more data from the group consisting of policy information, vehicle information, number of vehicle involved, repair cost, number of party involved, time of incident, and location of incident;

determining an overall score for the insurance claim using each of the claim scores;

determining, based on the insurance claim, a class of the insurance claim;

determining, based on the overall claim score and the class, the type of assignee; and

assigning the insurance claim to the determined assignee.

74. (Previously Presented) The method of claim 73, wherein an effect of the class on the type of assignee is weighted greater than an effect of the claim score on the type of assignee.

75. (Previously Presented) The method of claim 73, wherein the claim score reflects a severity of the insurance claim.

76. (Previously Presented) The method of claim 73, wherein the claim score is determined based on an element of a group comprising information regarding an insurance policy, information regarding a party involved in a loss, and information regarding how a loss was reported.

77. (Previously Presented) The method of claim 73, further comprising determining, based on the claim score, a priority of the insurance claim.

78. (Previously Presented) The method of claim 73, wherein an assignee comprises an element of a group comprising an insurance adjuster, a repair facility, an appraiser, and a rental provider.

79. (Cancelled).

80. (Previously Presented) The method of claim 73, wherein an effect of the first data element on the claim score is greater than an effect of the second data element on the claim score.

81. (Previously Presented) The method of claim 73, wherein each data element includes an element score, and wherein the claim score is based on the element scores of the data elements.

82. (Previously Presented) The method of claim 73, further comprising:  
determining a first set of profiles, wherein each profile in the first set represents a potential assignee of the determined type, and wherein each profile in the first set includes a profile score;  
determining a second set of profiles, wherein the second set contains profiles in the first set that have the highest profile scores, and wherein each profile in the second set includes a measure of capacity to complete the insurance claim; and

determining, from the second set of profiles, a profile with the largest measure of capacity.

83. (Cancelled)

84. (Currently Amended) A computer program product comprising a computer useable medium having computer program logic embodied therein for enabling a computer system to select a type of assignee from a plurality of types of assignees, said computer program logic comprising:

computer readable program code for determining, based on data elements of the insurance claim, a claim score for [[a]] first and second data elements, wherein each data element includes one or more data from the group consisting of policy information, vehicle information, number of vehicles involved, repair cost, number of parties involved, time of incident, and location of incident;

a second computer readable program code for determining an overall score for the insurance claim using the claim scores;

a third computer readable program code for determining, based on the insurance claim, a class of the insurance claim; and

a fourth computer readable program code for determining, based on the claim score and the class, the type of assignee.

85. (Previously Presented) The computer program product of claim 84, wherein the fourth computer readable program code is configured to weight an effect of the class greater than an effect of the claim score in determining the type of assignee.

86. (Previously Presented) The computer program product of claim 84, wherein the claim score reflects a severity of the insurance claim.

87. (Previously Presented) The computer program product of claim 84, wherein the first computer readable program code determines claim score based on insurance policy information, information regarding a party involved in a loss, or information regarding how a loss was reported.

88. (Previously Presented) The computer program product of claim 84, further comprising computer readable program code for determining, based on the claim score, a priority of the insurance claim.

89. (Previously Presented) The computer program product of claim 84, wherein an assignee comprises an insurance adjuster, a repair facility, an appraiser, or a rental provider.

90. (Cancelled).

91. (Previously Presented) The computer program product of claim 84, wherein the first computer readable program code weights an effect of the first data element on the claim score greater than an effect of the second data element on the claim score.

92. (Previously Presented) The computer program product of claim 91, wherein a data element includes an element score, and wherein the first computer readable program code determines claim score based on the element scores of the data elements.

93. (Previously Presented) The computer program product of claim 84, further comprising:  
computer readable program code for determining a first set of profiles, wherein each profile in the first set represents a potential assignee of the determined type, and wherein each profile in the first set includes a profile score;

computer readable program code for determining a second set of profiles, wherein the second set contains profiles in the first set that have the highest profile scores, and wherein each profile in the second set includes a measure of capacity to complete the insurance claim; and

computer readable program code for determining, from the second set of profiles, a profile with the largest measure of capacity.

**REMARKS**

Claims 25, 73-78, 80-82, 84-89, and 91-93 are pending in the application. Claim 1-24, 26-72, 79, 83, and 90 were previously cancelled. Claims 25, 73, and 84 are amended. No new matter is introduced by these amendments and their entry is respectfully requested.

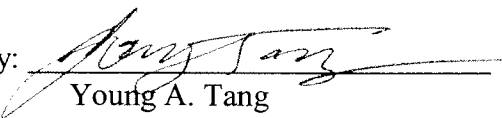
Claims 25, 73, and 84 are amended to be presented in better form for consideration on appeal pursuant to 37 CFR §1.116(b)(2). This amendment being filed "after the date of filing an appeal . . . and prior to the date of a brief is filed . . . as provided by § 1.116 of this title." 37 CFR § 41.33(a). *See* also MPEP § 1206. Applicants therefore respectfully request that the amendment be entered.

**CONCLUSION**

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 18-1953 referencing Docket No. 13CN-126552. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May 8, 2008

Respectfully submitted,

By:   
Young A. Tang  
Registration No.: 55,665

SHEPPARD MULLIN RICHTER &  
HAMPTON LLP  
333 South Hope Street, 48th Floor  
Los Angeles, CA 90071-1448  
Telephone: (858) 720-8900  
Facsimile: (858) 509-3691